

FILED
for Roanoke
APR 10 2012

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *M. Stupp*
DEPUTY CLERK

TODD LEHRER,
Petitioner,

v.

SAMUEL V. PRUETT,
Respondent.

) Civil Action No. 7:11-cv-00583
)
)
)

) ORDER
)
)

) By: Hon. Jackson L. Kiser
) Senior United States District Judge

In accordance with the written Memorandum Opinion entered this day, it is hereby

ORDERED

that respondent's motion to dismiss is **GRANTED**; the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED**; a certificate of appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum Opinion to petitioner and counsel of record for respondent.

ENTER: This 10th day of April, 2012.

Jackson L. Kiser
Senior United States District Judge